

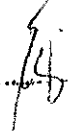
FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

OFFICE OF THE SECRETARY

8 DEC -9 12:14

SENATE
S.B. No. 2959

RECEIVED BY



Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Republic Act No. 9147, also known as the "Wildlife Resources Conservation and Protection Act" provides that it shall be the policy of the State to conserve the country's wildlife resources and their habitats for sustainability.

According to a study conducted in the United States, the ethic of hunting involves the consideration of fair chase, which allows the animal the opportunity to avoid the hunter. The study also showed that since exotic animals are clustered in a captive setting at unusually high densities, these animals attract disease more readily than more widely dispersed native species who roam freely. Thus, the transportation of captive exotic animals to commercial hunt operations can facilitate the spread of disease across great distances.

This bill seeks to prohibits the transfer, transport, or possession of a confined exotic animal, for the purposes of allowing the killing or injuring of that animal for entertainment or for the collection of a trophy.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

FOURTEENTH CONGRESS OF THE REPUBLIC)
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SENATE
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8 DEC -9 12:14

SENATE
S.B. No. **2959**

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO PROHIBIT CERTAIN CONDUCT RELATING TO EXOTIC ANIMALS
3

4 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
5 *Congress assembled:*
6

7 SECTION 1. *Short Title.* – This Act may be cited as the “Exotic Animal
8 Protection Act of 2008”.

9 SECTION 2. *Definition of Terms.* – As used in this Act, the term:

10 (1) “Confined exotic animal” shall refer to “exotic species”, as defined under the
11 Republic Act No. 9147 a.k.a. “Wildlife Resources Conservation and Protection Act”, that
12 has been held in captivity, whether or not the defendant knows the length of the captivity,
13 for the shorter of the majority of the animal’s life, or a period of 1 year; and

14 (2) “Captivity” does not include any period during which an animal lives as it
15 would in the wild surviving primarily by foraging for naturally occurring food; roaming
16 at will over an open area of not less than 1,000 acres; and having the opportunity to avoid
17 hunters.

18 SECTION 3. *Transport or Possession of Exotic Animals for Purposes of Killing*
19 *or Injuring Them.* – Whoever, in or substantially affecting domestic or foreign
20 commerce, knowingly transfers, transports, or possesses a confined exotic animal, for the
21 purposes of allowing the killing or injuring of that animal for entertainment or for the
22 collection of a trophy, shall be punished by a fine of not less than Fifty Thousand Pesos
23 (P50,000.00), and imprisonment of not more than two (2) years. This provision shall not
24 apply to the killing or injuring of an exotic animal in a government natural area reserve
25 undertaking habitat restoration.

1 SECTION 4. *Enforcement.* – Any person authorized by the Secretary of the
2 Department of Environment and Natural Resources (DENR) may:

3 (A) without a warrant, arrest any person that violates this section
4 (including regulations promulgated under this section) in the presence or view of
5 the arresting person;

6 (B) execute any warrant or other process issued by an officer or court of
7 competent jurisdiction to enforce this section; and

8 (C) with a search warrant, search for and seize any animal taken or
9 possessed in violation of this section.

10 SECTION 5. *Forfeiture.* – Any animal seized with or without a search warrant
11 shall be held by the Secretary, and upon conviction of the defendant, shall be forfeited to
12 the government and disposed of by the Secretary, in accordance with law.

13 SECTION 6. *Separability Clause.* – If any provision or part hereof, is held invalid
14 or unconstitutional, the remainder of the Act or the provision not otherwise affected shall
15 remain valid and subsisting.

16 SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance,
17 executive order, letter of instruction, administrative order, rule or regulation contrary to,
18 or inconsistent with the provisions of this Act is hereby repealed, modified or amended
19 accordingly.

20 SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days
21 after its publication in at least two (2) newspapers of general circulation.

22 Approved,